

A p p l i c a t i o n P a c k a g e



**The Commonwealth of Massachusetts
DIVISION OF APPRENTICE TRAINING
P.O. Box 146759
19 Staniford Street, 1st Floor
Boston, MA 02114**

Reminder: That it takes 3 to 4 weeks to become a sponsor.

**(THAT'S IF ALL THE PAPERS ARE SENT IN TOGETHER)
Apprentice Agreement and Schooling for the Apprentice**

SIGNATURE: _____ **DATE** _____
(Program Sponsor)

Documentation to be included with application

A. If an apprentice program sponsor will be administering the program through an apprenticeship committee, documentation describing the organization of the committee and the function of each member will be included.

B. In order to be approved by the Division of Apprentice Training, the Apprentice sponsor's program must be primarily located in Massachusetts. The responses to the following questions will be used to make that determination.

1. Is your primary operating facilities in Massachusetts? (Yes No)

2. Will the Administration of the proposed apprentice program be conducted in Massachusetts? (Yes No)

3. Will all documents and records concerning the proposed apprentice program be located in Massachusetts? (Yes No)

4. Will the majority of work to be performed by the apprentices be in Massachusetts? (Yes No)

C. Declaration concerning whether the sponsor will give credit towards completion of the program for any relevant hands-on training or related instruction which an apprentice may have received while previously employers and, if so, the terms and conditions under which such credit will be given.

D. For all companies with five or more apprentices; an affirmative action plan and written selection procedure per Federal Regulation (CFR 29-29) is required.

E. A signed statement that you have read, understand and will comply with M.G.L.c.23. §§ 11E through 11W and 453 CMR 7.00 as contained in The Regulations For Apprentice Programs

All applicable parts of this application must be completed before submitting for program approval to:

The Commonwealth of Massachusetts
Division of Apprentice Training
P.O. Box 146759
19 Staniford Street, 1st Floor
Boston, Massachusetts 02114

Application for Approval

**The Commonwealth of Massachusetts
DIVISION OF APPRENTICE TRAINING
P.O. Box 146759
19 Staniford Street, 1st Floor, Boston, MA 02114
Phone: 617-626-5409 / Fax: 617-626-5427**

**APPLICATION FOR APPROVAL OF STANDARDS OF APPRENTICESHIP UNDER THE
PROVISION OF CHAPTER 357, ACTS OF 2002 CHAPTER 23, SECTION 11E – 11W INCLUSIVE.**

Company Name: _____

Address: _____

Phone #
Fax:

Mailing Address (if different from above):

Name and address of person Responsible for the Program:

TERM OF APPRENTICESHIP PER TRADE:

[illegible]

TO: THE DIVISION OF APPRENTICE TRAINING

_____ has been the person
**named to handle all questions and complaints by the apprentice and to handle all
grievances in a quick and confidential way.**

Signed _____
Company Representative

STANDARDS OF APPRENTICESHIP

**Division of Apprentice Training
Department of Workforce Development
Commonwealth of Massachusetts**



Employer-Program Sponsor

Formulated

By

Company Name: _____

Address: _____

For the occupation of: _____

It has been recognized by _____ that to train skilled
Company Name

mechanics there must be a well developed plan of work experience supplemented with related classroom instruction. This recognition has resulted in the development of this Apprentice Program in accordance with the Standards of Apprenticeship as recommended by the Massachusetts Apprentice Council, The Division of Apprentice Training 453 CMR 7.00 and the Federal Bureau of Apprentice Training CFR 29.29 and CFR 29.30.

It is the desire of this company to cooperate with the Division of Apprentice Training in the training of apprentices and to assure said apprentices that if they will diligently apply themselves to the learning of a trade, they will be afforded an opportunity to become skilled craftsmen.

Definitions

"Apprentice" shall mean a person who has agreed, and signed an apprentice agreement, with the employer to acquire the trade as outlined in these standards.

"Employer" shall mean the Training Program Sponsor as identified on the application and standards.

"Approving Agency" shall mean the Division of Apprentice Training, Massachusetts Department of Labor and Workforce development.

"Supervisor of Apprentices" shall mean the person designated to perform the duties outlined in these standards.

"Related Training" Related trade subject classes that the apprentice is required to attend for approximately 150 hours per year each year of their apprenticeship. This will not be included in the on-the job training hours.

"Apprentice Agreement" shall mean a written agreement between the employer and the person employed as an apprentice, which agreement will be signed by the employer and the apprentice, and if the apprentice is a minor, by the parent or guardian. Every agreement shall be approved by and filed with the Division of Apprentice Training, Massachusetts Department of Labor and Workforce Development.

"Parties to the Apprentice Agreement" shall mean the apprentice and the parent or guardian, if the apprentice is a minor, and a duly authorized representative of the company each of whom shall sign the agreement.

"Standards of Apprenticeship" shall mean this entire document including these definitions.

Standards for Apprentice Programs

1. The apprentice must be employed and trained in an apprenticeable occupation as defined in 453 CMR 7.02
2. The apprentice will be provided no less than 2,000 hours per year of employment in the relevant occupation.

2A. The first 1,000 hours or six months of employment for the apprentice shall be a probationary period. During this probationary time the agreement may be canceled by either party to the agreement by notifying the other. The Division shall be notified of all such cancellations within 30 days.

2B. The employer intends and expects to give the apprentice continuous employment and will use its best efforts to keep the apprentice employed during the full term of apprenticeship.

If any apprentice is temporarily released due to business conditions, that apprentice shall be given the opportunity to be reinstated before any additional apprentice is employed in the same trade.

3. The apprentice shall be provided with a description of the work process in which he or she will work and approximation of the portion of the time to be spent in each major process.

3A. The work experiences need not be in the precise order as listed, nor do the scheduled hours on any operation need be continuous, to permit the flexibility necessary to normal shop production hours.

4. The apprentice sponsor shall ensure that the apprentice receives approximately 150 hours per year of related instruction in all subjects related to the trade. Such instruction may be given in a classroom or through correspondence courses or other forms of self study, but must be approved by the Director. The sponsor will not necessarily be responsible for the cost of the related instruction or any books, other written materials or supplies necessary for such instruction. If, however, the apprentice is to be responsible for all or any portion of such costs, the apprentice agreement must contain an explicit statement to that effect; the employer is responsible.

5. The sponsor must ensure that the apprentice will be paid no less than the amount specified in a predetermined schedule of wage rates. Such wage rates will be expressed as a percentage of the established journeyperson rate and shall progressively increase consistent with the level of skill acquired by the apprentice for the duration of time that the apprentice participates in the apprentice program. The apprentice's scale of wages shall average not less than 50% of the Journeyperson rate over the term of the apprenticeship; (see attached wage sheet).

6. The journeyperson's rate used for establishing the apprentices wage schedule shall be stated in dollars and cents and shall be reviewed annually and, if appropriate, re-adjusted.

7. The entry apprentice wage rate shall be not less than the minimum wage prescribed by applicable state or federal law.

8. The apprentice will be under the general supervision of the journeyperson with whom the apprentice will work and the direct supervision of the employer or Master Supervisor whose duty it shall be to see that the Apprentice receives the work experience and related instruction outlined in these Standards.

9. The apprentice sponsor may preclude an apprentice from obtaining the next step in the apprenticeship or extend the apprenticeship when the apprentice does not achieve the level of competency necessary for advancing or completing the program. However in such a case the apprentice's periodic evaluation shall describe the reasons for such action and the apprentice notified. The evaluation (initialed by the apprentice) shall be forwarded to the Division with a request for an extension of the apprentice's agreement. In no event shall the term of the apprenticeship be extended more than two six months periods over the term of the apprenticeship except on a case by case basis.

10. The ratio of apprentices to journeypersons indentured by the apprentice program sponsor shall not exceed the ratios specified in the most recent version of the Division's Ratio Policy Implementation Manual; Publication # 16,445-62-50-9-90-CR

11. The apprentice shall be trained in safe and healthful work practices and shall work only in environments that comply with all applicable Massachusetts and federal occupational safety and health standards;
12. The apprentice shall not be less than 16 years of age. The employment of apprentices between the ages of 16 and 18 shall comply with all Massachusetts and federal child labor laws.
13. The apprentice training sponsor may, at its discretion, grant credit or advanced standing to an apprentice for hands-on training or related instruction which the apprentice may have obtained while previously participating in other apprentice programs or while employed by previous employers. However, such previous training or experience must be documented and comply M.G.L. c 23, s/s 11E through 11W and 453 CMR 7.00. Step increases in pay shall be commensurate with the credit given to the apprentice. The granting or denial of credit or advanced standing to any particular apprentice must conform to the apprentice program sponsor's stated policy on this issue as described in the apprentice application materials and in the apprentice agreement. However no more than one-half the program will be accepted based on previous experience or training.
14. Upon successful completion of the apprentice's program, the apprentice program sponsor shall recommend to Division that a State Certification be awarded.
15. The apprentice program sponsor shall establish a procedure to receive, investigate, and resolve complaints and concerns raised by the apprentices relative to the apprentice program. To the extent possible, confidentiality of the information provided to the apprentice program sponsor concerning matters raised by apprentices shall be maintained.
16. The records of the apprentice's work experience and related training instruction shall be kept by the employer and will be available for examination by Field Representatives of the Division. For employers with five or more apprentices, affirmative action information will be kept by the employer and available for review yearly by a Field Representative from the Division.
17. These standards shall be submitted to the Massachusetts Division of Apprentice Training for approval and will become effective upon the date of approval.
18. These standards of Apprenticeship may be amended by the employer provided such amendments are approved by the Massachusetts Division of Apprentice Training. A copy of all changes shall be furnished to each apprentice.
19. Within 30 calendar days of an apprentice's cancellation or completion of the apprentice training program, the apprentice program sponsor must send written notification thereof to the Division.
20. Every apprentice agreement entered into under these Standards of Apprenticeship shall contain a clause making the standards a part of the agreement with the same effect as if expressly written therein. For this reason, every applicant (and the parent or guardian, if the applicant is a minor) shall be given a copy of the Standards of Apprenticeship and an opportunity to read them before any signature is affixed thereto.

Signature: _____ Date: _____
(Please Sign In Blue Ink)

Chapter 357 of the Acts of 2002

AN ACT RELATIVE TO APPRENTICESHIP TRAINING PROGRAMS.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Chapter 23 of the General Laws is hereby amended by striking out sections 11E to 11L, inclusive, and inserting in place thereof the following 8 sections:-

Section 11E. There shall be in the department an apprenticeship council, to consist of 8 members, 6 of whom shall be appointed by the director with the approval of the governor, 1 of whom shall be the deputy director of employment and training or his successor, in the department of labor and workforce development, ex officio, and 1 of whom shall be the associate commissioner of career and technical education or his successor, in the department of education, ex officio. Of the appointive members, 3 of whom shall be persons who, on account of previous vocation, employment, occupation or affiliation, may be classified as representatives of labor and 3 of whom shall be persons who, on account of previous vocation, employment, occupation or affiliation, may be classified as representatives of management. The terms of office of the representatives of labor and management initially appointed shall expire as designated by the director at the time of making the appointments, 1 representative each of labor and management shall be appointed for a term of 1 year, 1 representative each of labor and management shall be appointed for a term of 2 years, and 1 representative each of labor and management shall be appointed for a term of 3 years. Thereafter, each member representing labor and management shall be appointed for a term of 3 years. Any member appointed to fill a vacancy occurring prior to the expiration of the term of his predecessor shall be appointed for the remainder of the term. Each member of the council not otherwise compensated by the commonwealth may be reimbursed for transportation and other necessary expenses. The council shall not meet more than 15 days in a year.

The council shall meet at the call of the director and shall aid the director in formulating policies for the effective administration of this chapter. The council shall suggest standards for apprentice programs and apprentice agreements, which shall in no case be lower than those prescribed by this chapter. The council shall suggest such rules and regulations as it deems necessary to carry out the intent and purposes of this chapter, and shall perform such other functions as the director may direct.

Section 11F. The director, subject to approval by the governor, shall appoint a deputy director of apprentice training. The deputy director may appoint and employ such clerical, technical and professional assistance as shall be necessary to effectuate the purposes of this chapter, and may utilize any federal funds available to aid in the administration of this chapter.

Section 11G. The director and deputy director, with the advice and guidance of the apprenticeship council, shall administer sections 11E to 11W, inclusive, shall keep a record of apprentice programs and apprentice agreements and their disposition, shall cooperate with the state department of education and the local school authorities in regard to the education of apprentices in accordance with the standards established by the director and deputy director for the same trade or group of trades, and shall perform such other duties as are necessary to carry out the intent of said sections 11E to 11W, inclusive.

The director and deputy director may set up and establish conditions and training standards for apprentice programs and apprentice agreements, which conditions or standards shall in no case be lower than those prescribed by said sections 11E to 11W, inclusive, may create and implement a schedule of progressive sanctions regarding registration of apprentice programs, may act as secretary of the apprenticeship council, may approve an apprentice program or apprentice agreement which meets the standards established under said sections 11E to 11W, inclusive, may terminate or cancel an apprentice program or apprentice agreement in accordance with said sections 11E to 11W, inclusive, and may issue certificates of completion of apprenticeship.

Section 11H. As used in this chapter the following words shall, unless the context clearly requires otherwise, have the following meaning:-

"Apprentice", a person at least 16 years of age who has entered an apprentice agreement with an employer, or an association of employers, or an organization of employees, or other apprentice program sponsor.

"Apprentice agreement", a written agreement between an apprentice and an apprentice program sponsor which is registered with the division and which provides for not less than 2,000 hours of reasonably continuous employment, consistent with training requirements as established by industry practice, in the occupation to which he is apprenticed. The written agreement shall also provide for not less than 150 hours per year of related instruction for a person in the occupation to which he is apprenticed, as well as participation in an approved schedule of work experience throughout a reasonably continuous period of employment.

"Apprenticeable occupation", a skilled trade which: (1) is customarily learned in a practical way through a structured, systemic program of on-the-job supervised training; (2) is clearly identified and commonly recognized through an industry; (3) involves manual, mechanical or technical skills and knowledge which require a minimum of 2,000 hours of on-the-job work experience; and (4) requires related training to supplement the on-the-job training.

"Apprentice program", a program which is registered with the division for the recruitment, selection, employment, training and qualification of apprentices.

"Apprentice program sponsor", a person, association, committee, organization, corporation, partnership, trust or other entity operating an apprentice program and in whose name the program is registered with the division.

"Deputy director", the deputy director of apprentice training.

"Director", the director of labor and workforce development.

"Division", the division of apprentice training in the department of labor and workforce development.

Section 11I. Every apprentice agreement entered shall include at least the following basic provisions:

(a) a requirement that the apprentice receive a minimum of 2,000 hours of employment as an apprentice, consistent with training requirements as established by industry practice, in the occupation to which he is apprenticed;

(b) a requirement that the apprentice receive a minimum of 150 hours per year of related classroom instruction during the period of apprenticeship in the occupation to which he is apprenticed;

- (c) a schedule of the work processes to be learned in the occupation;
- (d) a progressively increasing scale of wages for the apprentice, during the period of apprenticeship, averaging at least ⅔ of the rate of pay of a journey person over a similar period;
- (e) a concise and accurate statement of the terms and conditions of the employment and training of the apprentice and a statement that the apprenticeship agreement shall be registered with the division within 30 days of its execution;
- (f) a statement that such agreement may be terminated, within 6 months of its execution, by either the employer or the apprentice, for any reason;
- (g) a statement that the agreement may be terminated by the deputy director any time during the duration of the agreement if the deputy director deems it proper; and
- (h) a statement that the division is available to receive, investigate and resolve any complaints the apprentice has about the apprentice training program in which the apprentice is registered.

Section 11J. No apprentice agreement shall be effective until approved by and registered with the division. An apprentice agreement shall be signed by the apprentice program sponsor and by the apprentice and, if the apprentice is a minor, by a legal guardian of the minor and by the deputy director. When a minor enters into an apprentice agreement for a period of training extending beyond the date upon which the apprentice shall attain his majority, the apprentice agreement, if approved and registered, shall be binding for the entire period referred to in the agreement, including so much thereof as may extend beyond the date upon which the apprentice attained majority.

Section 11K. To be approved by and registered with the division, an apprentice program shall substantially conform with the following basic standards:-

- (a) The ratio of apprentices to journeypersons shall not conflict with the ratio established in apprenticeable occupations operated by the joint labor management apprentice training programs approved under this chapter. Notwithstanding section 11G, neither the deputy director, the director, nor the apprenticeship council shall set up and establish conditions and training standards for apprentice programs which are in conflict with this ratio.
- (b) The apprentice program shall be open to all persons at least 16 years old and shall not discriminate on the basis of age, race, color, creed, national origin, gender, sexual orientation or disability.
- (c) The apprentice program shall ensure that each apprentice works a minimum of 2,000 hours of employment, consistent with training requirements as established by industry practice, at the occupation to which he is apprenticed. The apprentice program shall ensure that each apprentice receives a minimum of 150 hours annually of related classroom instruction in the occupation to be learned.
- (d) The apprentice program must ensure that each apprentice is paid in accordance with a predetermined schedule of wage rates based on the journeyperson rate, said schedule to progressively increase with the apprentice's skill level and average at least 50 per cent of the journeyperson's rate for the apprenticeship term.

(e) The apprentice program shall allow credit or advanced standing to be granted to an apprentice for hands-on training or related instruction which the apprentice may have previously obtained, but all such credit or advanced standing shall comply with this chapter.

(f) The apprentice program shall establish a procedure to receive, investigate and resolve apprentices' complaints about the program. The procedure shall provide that any such complaint shall be filed within 6 months after the apprentice knew, or reasonably should have known of the act giving rise to the complaint. Notice of the complaint procedure shall be provided to all apprentices. Such notice shall advise an apprentice that the division is available to receive, investigate and resolve any complaints about the program that have not been resolved to the satisfaction of the apprentice after all internal procedures have been fully exhausted.

Section 11L. A person, association, committee, organization, corporation, partnership, trust or other entity seeking to sponsor an apprentice program may apply for a registration in accord with procedures established by the division. The application shall describe the proposed program, giving the terms and conditions of the apprentices' employment, supervision of apprentices and provision of related instruction. The application shall also describe whether credit or advanced standing will be given for relevant hands-on training or related instruction and, if so, the terms and conditions by which such credit or advanced standing will be granted.

If the applicant is a party to a collective bargaining agreement, a statement to that effect shall be included with the application and a copy of the application shall be provided to the agent for the collective bargaining unit at least 2 weeks prior to filing the application with the division. If the applicant is involved in any abnormal labor condition, such as a strike, lockout or other similar condition, the application shall be withheld until such condition is resolved. Once a program is registered, the sponsor shall notify the division in writing within 30 days of any significant modifications to the program or of any material changes in information submitted with the application.

SECTION 2. Said chapter 23 is hereby further amended by inserting after section 11S the following 4 sections:-

Section 11T. (a) An apprentice program sponsor may voluntarily deregister its program by providing written notice to the division and its apprentices and otherwise complying with provisions established by the division.

(b) The deputy director, on his own initiative, or upon the complaint of an interested person, may investigate and determine whether there has been a violation of the terms of an apprentice agreement or apprentice program and may hold hearings, inquiries and other proceedings necessary to such investigations and determination. All hearings, investigations and determinations shall be made under authority of reasonable rules and procedure approved by the director.

The deputy director may deregister an apprentice program upon finding sufficient cause. Any of the following shall constitute sufficient cause for deregistration: (1) false statements or material omissions in the application for registration or documentation submitted; (2) violation of any of the requirements of this chapter; or (3) violation of a state or federal law which the deputy director determines to be of such serious and compelling nature to warrant suspension or deregistration of the apprentice program. The apprentice program sponsor shall be given a fair and impartial hearing, after reasonable notice of the hearing has been provided. If the proposed deregistration is for

a specific period of time, the duration of the deregistration and any conditions that shall be met in order to be re-registered shall be provided with the notice.

An apprentice program sponsor of a deregistered program shall comply with provisions established by the division. Such provisions shall include, but not be limited to, the requirement that within 10 business days of the effective date of any deregistration, the apprentice program sponsor shall provide written notice to all apprentices in its program that, for the period of such deregistration, all apprentice agreements shall be automatically terminated.

The determination of the deputy director shall be filed with the director and notice of the determination shall, at the same time, be mailed, postage prepaid, to each person known by the division to be an interested person, at his last address as shown by the division's records. A person aggrieved by a determination or action of the deputy director may, within the 10 day period, appeal to the director, who shall hold a hearing after due notice to all interested parties. If no appeal is filed with the deputy director within 10 days after the date of such filing and notice, the determination shall become the decision of the director.

A party to an apprentice program aggrieved by an order or decision of the director may appeal to the superior court; provided, however, that such order or decision shall be conclusive if the appeal shall not be filed within 30 days after the date of the order or decision. The order or decision shall be reviewed in accordance with the standards for review provided in section 14 of chapter 30A.

No person shall institute an action for the deregistration of an apprentice program unless he shall first have exhausted all administrative remedies provided by this section.

(c) Within 30 days of the date of the deregistration, whether voluntary or involuntary, of an apprentice program, the apprentice program sponsor shall send to the division a copy of all documents demonstrating the number of hours of hands-on training and related instruction obtained by all apprentices in the program.

(d) The division may reinstate the registration of an apprentice program in its discretion upon presentation of adequate evidence that the condition that gave rise to the deregistration has been remedied.

Section 11U. (a) The division, upon the complaint of an interested person or upon its own initiative, may investigate and determine whether there has been a violation of the terms of an apprentice agreement, and may hold hearings, inquiries and other proceedings necessary to the investigations and determination, provided that the apprentice filing a complaint has exhausted the procedures established pursuant to section 11K. All hearings, investigations and determinations of apprentice agreements shall be made under authority of reasonable rules and procedure prescribed by the director.

(b) The division shall not be required to hold hearings in matters confined solely to identifiable apprentice agreements, which the division may deregister at any time during the period of apprenticeship if it determines appropriate.

(c) The determination of the deputy director shall be filed with the director and notice of the determination shall, at the same time, be mailed, postage prepaid, to each person known by the division to be an interested person, at the last address as shown by the records of the division. If no appeal is filed

with the deputy director within 10 days after the date of the filing and notice, the determination shall become the decision of the director.

A person aggrieved by a determination or action of the deputy director may, within the time allowed, appeal to the director, who shall hold a hearing after due notice to all interested parties. A party to an apprentice program aggrieved by an order or decision of the director may appeal to the superior court; provided, however, that the order or decision shall be conclusive if the appeal is not filed within 30 days after the date of the order or decision. The order or decision shall be reviewed in accordance with the standards for review provided in section 14 of chapter 30A.

No person shall institute an action for the enforcement or deregistration of any apprentice agreement until after the person has exhausted all administrative remedies provided by this section.

(d) The deputy director may reinstate the registration of an apprentice agreement in its discretion upon presentation of adequate evidence that the condition that gave rise to the deregistration has been remedied.

Section 11V. Nothing in this chapter or in an apprentice program or apprentice agreement entered into and approved under this chapter shall operate to invalidate any apprenticeship provision in a collective bargaining agreement between employers and employees setting up higher apprenticeship standards.

Section 11W. The deputy director shall require each apprentice entering into a written agreement pursuant to this chapter to submit an application to the division for an apprentice identification card. Said application shall be accompanied by a fee paid by the apprentice or the program sponsor, together with photographic prints as required by the deputy director. The deputy director shall charge the fees necessary for the establishment and maintenance of the identification card system. The funds shall be received by the state treasurer on behalf of the commonwealth and deposited in a special trust account for the division and may be expended, without further appropriation, under the direction of the deputy director. An apprentice identification card shall contain the photograph of the apprentice; the apprentice registration number or such other number as the deputy director requires; the name and business address of the appropriate apprenticeship committee or single employer sponsor; the steps of progression and related dates applicable to the apprentice; and the projected date on which the apprentice is projected to complete the apprenticeship. As a condition of apprenticeship, the apprentice shall keep the apprentice identification card on his person during all hours of employment during the apprenticeship.

SECTION 3. The first paragraph of section 27 of chapter 149 of the General Laws, as appearing in the 2000 Official Edition, is hereby amended by inserting after the eighth sentence the following 2 sentences:- An apprentice performing work on a project subject to this section shall maintain in his possession an apprentice identification card issued pursuant to section 11W of chapter 23.

SECTION 4. The first paragraph of section 27B of said chapter 149, as so appearing, is hereby amended by inserting after the first sentence the following sentence:- For every week in which an apprentice is employed by a contractor, subcontractor or public body subject to this section, a photocopy of the apprentice's apprentice identification card, issued pursuant to section 11W of chapter 23, shall be attached to the records submitted under this section.

Approved October 25, 2002.

Code of Massachusetts Regulations
Title 453: Department of Labor and Workforce Development

Chapter 7.00: Apprentice Training

Current through September 29, 2000

7.01: Authority, Purpose, and Scope

(1) Authority. 453 CMR 7.00 is promulgated under the authority of M.G.L. c. 23 § 3; c. 23. §§11E, 11G and 11K.

(2) Purpose. 453 CMR 7.00 establishes:

(a) Criteria under which the Department of Labor and Workforce Development's Division of Apprentice Training may continue to be recognized as an appropriate agency for registering local apprentice programs for federal purposes pursuant to the Fitzgerald Act, 29 U.S.C. § 50 and the federal regulations promulgated thereunder, 29 CFR §§ 29.1 through 29.13;

(b) Minimum standards governing apprenticeship in Massachusetts to maintain the integrity of employment-based training programs and to safeguard the welfare of Massachusetts apprentices;

(c) Application procedures and requirements for obtaining status as a Massachusetts registered apprentice program;

(d) Procedures for redressing noncompliance by apprentices or apprentice program sponsors with any Massachusetts or federal law governing apprenticeship; and

(e) Notice and recordkeeping requirements with which all registered apprentice programs must comply.

(3) Scope. 453 CMR 7.00 shall apply to any person, firm, corporation, or other entity that applies for registration of an apprentice program with the Department of Labor and Workforce Development's Division of Apprentice Training, or enters into apprenticeship arrangements with registered apprentice program sponsors or apprentices.

7.02: Definitions

Apprentice. Any person. At least 16 years of age, except where a higher minimum age standard is otherwise fixed by law. Who is participating, through employment in an approved schedule of work experience supplemented by related-instruction and who is a party to an apprentice agreement registered with the Department of Labor and Workforce Development's Division of Apprentice Training.

Apprenticeable Occupation. An Occupation which possesses all of the following characteristics

(a) It involves mechanical, cognitive, literacy and technical skill and knowledge which customarily requires a minimum of two years or longer of work, training, and learning experience to learn the occupation;

(b) It is customarily learned in a practical way through a structured, hands-on, systematic program of on-the-job training and task rotation that involves the development of skills sufficiently broad as to be applicable in the like occupations throughout an industry and not narrowly restricted to the tools, materials and processes or operations of a single employer;

(c) It is clearly identified and commonly recognized throughout an industry and it is not part of another apprenticeable occupation unless such part is commonly practiced throughout an industry as an identifiable and distinct occupation possessing all of the characteristics set forth in 453 CMR 7.02;

(d) It requires a measurable component, depending upon the complexity and demands of the occupation, of instruction or study in related and technical subjects to supplement work-acquired skills.

Apprentice Agreement. A written agreement which conforms to the standards established under M.G.L. c. 23, §§ 11E through 11L and 453 CMR 7.00 and is entered into between an apprentice and an apprentice program sponsor.

Apprentice Council. The Massachusetts Apprentice Council established under M.G.L. c. 23, § 11E.

Apprentice Program. A program for the, recruitment, selection, employment, training, and qualification of apprentices.

Apprentice Program Sponsor. Any person, association, committee, organization, corporation, partnership, or other entity operating an apprentice program and in whose name the program is registered.

Apprenticeship Committee. Those persons designated by the apprentice program sponsor to act for it in the administration of an apprentice program.

Deputy Director. The Deputy Director of the Department of Labor and Workforce Development's Division of Apprentice Training and his/her designees.

Deregistration. The termination of the registration status of an apprentice program.

Director. The Director of the Department of Labor and Workforce Development and his/her designees.

Division. The Department of Labor and Workforce Development's Division of Apprentice Training.

Employer. Any person or organization employing an apprentice, whether or not such person or organization is a party to an apprentice agreement with the apprentice.

Registration of Apprentice Agreement. The acceptance and recording of an apprentice agreement by the Division following a determination by the Deputy-Director that the agreement meets the requirements of M.G.L. c. 23. §§ 11E through 11L and 453 CMR 7.00.

Related Instruction. Organized classroom instruction designed to provide the apprentice with the theoretical and technical – knowledge related to the apprentice's trade.

Suspension. The temporary termination of the registration of an apprentice program which is instituted by the Division for cause.

7.03: Eligibility for apprentice Program Registration

No apprenticeship program sponsor shall be eligible for registration unless:

(a) The occupation at issue is an apprenticeable occupation as defined in 453 CMR 7.02;

(b) The terms and conditions of the proposed apprentice program comply with the requirements of M.G.L. c. 23. §§ 11E through 11L and 453 CMR 7.00; and

(c) The proposed apprentice program conforms to the Massachusetts State Plan for Equal Employment Opportunity in Apprenticeship & Training.

7.04: Procedure for Apprentice Program Registration

(1) All new applicants for apprentice program registration must submit to the Division the following:

- (a) A completed application form as prescribed by the Deputy Director;
- (b) Documentation describing the proposed apprentice program including, but not limited to, a description of the relevant work processes on which the apprentices will work, the terms and conditions of employment, arrangements for supervision of the apprentices, and the provision of related instruction;
- (c) A copy of the apprentice agreement form;
- (d) If the apprentice program sponsor will be administering the program through an apprenticeship committee, documentation describing the organization of the committee and the functions of each of its members;
- (e) Documentation that the apprentice program sponsor's apprentice activities are primarily located in Massachusetts. Such documentation should include evidence of the following:
 - 1. That the majority of the work to be performed by the apprentices will occur in Massachusetts;
 - 2. That the efforts to conduct outreach for new apprentices will be directed in Massachusetts;
 - 3. That the administration of the proposed apprentice program will be conducted in Massachusetts; and
 - 4. That all documents and records concerning the proposed apprentice program will be located in Massachusetts.
- (f) A declaration concerning whether the apprentice program sponsor will give credit towards completion of the program for any relevant hands-on training or related instruction which an apprentice may have received while previously participating in other apprentice programs or while employed by previous employers in the relevant occupation and, if so, the terms and conditions under which such credit will be given.

(2) If the applicant for apprentice program registration is an employer or an employer's association who is a party to a collective bargaining agreement which is applicable to the trade for which the apprentice program is being developed, such applicant must provide a copy of its registration application to the collective bargaining agent no later than two weeks before the date that the application is filed with the Division. With its application

for registration, the apprentice program sponsor may submit a written acknowledgement by the collective bargaining agent that such agent has no objection to the registration of the apprentice program. If no such acknowledgement is submitted, the applicant must submit to the Division with its application documentation that the collective bargaining agent was provided a copy of the application and was notified that it has the right to file comments with the Division concerning the application.

The Division shall allow no less than 30 calendar days nor more than 60 calendar days for receipt of comments by the collective bargaining agent before final action on the application is taken.

If the applicant for apprentice program registration is an employer or an employer's association who is a party to a collective bargaining agreement which is applicable to the trade for which the apprentice program is being developed, such applicant must submit with the application a statement attesting to such fact.

(3) If the applicant for apprentice program registration is involved in any abnormal labor condition, such as a strike, lockout, or other similar condition, the application of an apprentice program shall be withheld until such issue is resolved.

(4) The Deputy Director may deny an application for registration upon a finding that the proposed apprentice program does not comply with M.G.L. c. 23. §§11E through 11L, 453 CMR 7.00, or the Massachusetts State Plan for Equal Employment Opportunity in Apprenticeship and Training. Applicants shall be advised by the Deputy Director in writing of the denial and the reasons therefore.

(5) Following registration of an apprentice program, the apprentice program sponsor must notify the Division promptly in writing of any modifications to the program or material changes in the information submitted with the application for registration.

7.05: Standards for Apprentice Programs

All registered apprentice programs must comply with the following standards:

(1) The apprentice must be employed and trained in an apprenticeable occupation as defined in 453 CMR 7.02,

(2) The apprentice shall be provided no less than 2,000 hours per year of employment in the relevant occupation;

(3) The apprentice shall be provided with description of the work processes in which he or she will work and an approximation of the proportion of time to be spent in each major process;

(4) The apprentice program sponsor shall ensure that the apprentice receives approximately 150 hours per year of related instruction in all subjects related to the trade. Such instruction may be given in a classroom or through correspondence courses or other forms of self-study but must be approved by the Deputy Director. The sponsor will not necessarily be responsible for paying the cost of the related instruction or any books, other written materials, or supplies necessary for such instruction. If, however, the apprentice is to be responsible for all or any portion of such costs, the apprentice agreement must contain an explicit statement to that effect;

(5) The sponsor must ensure that the apprentice will be paid no less than an amount specified in a predetermined schedule of wage rates. Such wage rates shall be expressed as a percentage of the established journey person rate and shall progressively increase consistent with the level of skill acquired by the apprentice for the duration of time that the apprentice participates in the apprentice program. The apprentice's scale of wages shall average not less than 50% of the journey person rate for the term of the apprenticeship;

(6) The journey person rate used for establishing the apprentice's wage schedule shall be stated in dollars and cents and shall be reviewed annually and, if appropriate, re-adjusted;

(7) The entry apprentice wage rate shall be not less than the minimum wage prescribed by applicable state or federal law;

(8) The apprentice shall be given performance evaluations at the time of each step increase but no less than two performance evaluations per year. Such evaluations shall be in writing either on forms prepared by the Division or forms prepared by the apprentice-program sponsor and approved by the Deputy Director. Nothing, in 453 CMR 7.05 shall preclude the apprentice program sponsor from providing oral performance evaluations in addition to the written evaluations required hereunder;

(9) The ratio of apprentices to journey persons indentured by the apprentice program sponsor shall not exceed the ratios specified in the most recent version of the Division's Ratio Policy Implementation Manual;

(10) The apprentice shall be trained in safe and healthful work practices and shall work only in environments that comply with all applicable Massachusetts and federal occupational safety and health standards;

(11) The apprentice shall not be less than 16 years of age. The employment of apprentices between the ages of 16 and 18 shall comply with all applicable Massachusetts and federal child labor laws;

(12) The apprentice program sponsor may, at its discretion, grant credit or advanced standing to an apprentice for hands-on training or related instruction which the apprentice may have obtained while previously participating in other apprentice programs or while

employed by previous employers. However, such previous training or experience must be documented and comply with M.G.L. c. 23. §§ 11E through 11L and 453 CMR 7.00. Step increases in pay shall be commensurate with the credit given to the apprentice. The granting or denial of credit or advanced standing to any particular apprentice must conform to the apprentice program sponsor's stated policy on this issue as described in the apprentice program application materials and in the apprentice agreement;

(13) Upon successful completion of the apprentice program, the apprentice program sponsor shall provide the apprentice with a certificate evidencing completion of the program; and

(14) The apprentice program sponsor shall establish a procedure to receive, investigate, and resolve complaints and concerns raised by apprentices relative to the apprentice program. To the extent possible, confidentiality of the information provided to the apprentice program-sponsor concerning matters raised by apprentices shall be maintained.

7.06: Registration of Apprentice Agreements

(1) All apprentices participating in an apprentice program must execute an apprentice agreement with the apprentice program sponsor.

(2) No apprentice agreement shall be effective until it is submitted to, and approved by, the Deputy Director.

(3) No apprentice program sponsor may submit for registration an apprentice agreement if, at the time that the apprentice agreement is submitted to the Division, the sponsor has reason to believe that the apprentice who executed the agreement will not be provided continuous employment for the entire period of time required to complete the program.

(4) The apprentice agreement shall contain the following terms, conditions, and information:

(a) The names and signatures of the contracting parties;

(b) If the apprentice is a minor, the name and signature of the apprentice's parent or guardian;

(c) The apprentice's date of the birth;

(d) The name and address of the apprentice program sponsor and the Division;

(e) The name of the trade or craft in which the apprentice is to be trained;

(f) The date on which the apprentice's participation in the program is to commence and the term of the apprenticeship;

- (g) The number of hours per year of hands-on training that will be provided to the apprentice;
- (h) The number of hours per year of related instruction which the apprentice will receive and whether the apprentice will be responsible for paying any or all of the costs of related instruction.
- (i) The total number of hours of hands-on training and related instruction required of the apprentice for completion of the program;
- (j) A description of the work processes in which the apprentice will work and an approximation of the proportion of time to be spent in each major process;
- (k) A statement of the graduated scale of wages to be paid to the apprentice as described in 453 CMR 7.05 (5);
- (l) A statement describing the duration and conditions of the probationary period and the term and conditions governing apprentice agreement cancellation as prescribed by 453 CMR 7.07;
- (m) A statement that the apprentice will be given equal opportunity in all phases of the apprentice program and will not be discriminated against based on race, color, religion, national origin, gender or sexual orientation;
- (n) The name(s), address(es), and telephone number(s) if the individual(s) designated by the apprentice program sponsor to receive, investigate, and resolve complaints and concerns raised by apprentices relative to the apprentice program;
- (o) A statement that if the apprentice has a complaint or concern relative to the apprentice program which, after fully exhausting all internal procedures, is not resolved by the apprentice program sponsor to the apprentice's satisfaction, then the Deputy Director is available to receive, investigate, and resolve the complaint or concern matters unrelated to 453 CMR 7.00 or M.G.L. c. 23. §§ 11E through 11L are not subject to such review;
- (p) A statement that the apprentice's participation in the apprentice program is governed by M.G.L. c. 23. §§ 11E through 11L and 453 CMR 7.00; and
- (q) The amount of credit which the apprentice program sponsor will give to the apprentice towards completion of the program, if any. Any relevant hands-on training or related instruction which the apprentice may have obtained while previously participating in other apprentice programs or while employed by previous employers.

(5) Within 30 calendar days of an apprentice's cancellation or completion of the apprentice program, the apprentice program sponsor must send written notification thereof to the Division.

7.07: Probation and Cancellation of Apprentice Agreements

(1) The apprentice program sponsor shall establish a probationary period for new apprentices during which time the apprentice agreement may be canceled by any party to the agreement for any reason upon notice to the Division. Upon completion of the probationary period, the apprentice shall be given full credit for the term of the probationary period toward completion of the apprentice program.

(2) Following the probationary period, an apprentice agreement may be canceled either by consent of all of the parties to the agreement or by one or more parties upon a showing of sufficient cause. If cancellation is sought by a party to the agreement other than the apprentice, the apprentice shall be given notice of the proposed cancellation and a reasonable opportunity to make corrective action.

(3) The apprentice program sponsor shall give written notice to the Division of the cancellation of any apprentice agreement and the reason(s) therefore within 30 calendar days of the cancellation.

(4) At any time during the period of apprenticeship, the Deputy Director may cancel an apprentice agreement where he or she deems appropriate.

7.08: Suspension and Deregistration of Apprentice Programs

Suspension or deregistration of an apprentice program may be effected voluntarily by the apprentice program sponsor or by order of the Deputy Director.

(1) Voluntary Deregistration by Sponsor. The apprentice program sponsor may voluntarily deregister an apprentice program by providing written notice of such voluntary deregistration to the Division which shall include the effective date of the deregistration. Following receipt of such notice, the Deputy Director shall provide written acknowledgement of the deregistration to the apprentice program sponsor. Within ten business days of receipt by the apprentice program sponsor of such acknowledgement, the sponsor must provide written notice to all apprentices of the deregistration of the apprentice program which shall state that such deregistration automatically effects the termination of all apprentice agreements executed thereunder.

(2) Suspension or Deregistration by the Division.

(a) The Deputy Director may institute proceedings to suspend or deregister an apprentice program upon finding of sufficient cause. The apprentice program sponsor shall be notified in writing of the proposed suspension or deregistration and reasons therefore in the case of a suspension, the sponsor shall also be notified of the intended duration of the proposed suspension and any conditions that must be met before reinstatement of the registration. Any of the following shall constitute sufficient cause for suspension or deregistration:

1. False statements or material omissions in the application for registration or documentation submitted therewith;
2. Violation of any of the requirements of M.G.L. c. 23, §§ 11E through 11L or 453 CMR 7.00; or
3. Violation of any Massachusetts or federal law which the Deputy Director determines to be of such serious and compelling nature to warrant suspension or deregistration of the apprentice program.

(b) Apprentice program sponsors shall have the right to a hearing before the Deputy Director on a proposed suspension or deregistration by submitting a written request for a hearing within ten business days of receipt of the notice of suspension or deregistration. Such notice must state the main facts and points of law the apprentice program sponsor intends to raise at the hearing in support of its contention that the proposed action should not be taken. If the Division does not receive such request within ten business days of the sponsor's receipt of the notice, the proposed action will be effective immediately upon expiration of such ten day period.

(c) If a request for a hearing before the Deputy Director is filed timely, the Deputy Director shall conduct such hearing in accordance with the Standard Adjudicatory Rules of Practice and Procedure, 801 CMR 1.01: Formal Rules. Following the hearing, the determination of the Deputy Director shall be filed with the Director and notice of such determination shall, at the same time, be sent to all interested parties.

(d) If no appeal of the determination of the Deputy Director is filed with the Director within ten business days of filing and notice of the Deputy Director's determination, such determination shall be effective immediately upon expiration of such ten day period. If an appeal is filed timely by an interested party, the Director shall conduct a hearing on the proposed action in accordance with the Standard Adjudicatory Rules of Practice and Procedure, 801 CMR 1.01: Formal Rules. Following the hearing, notice of the determination of the Director shall be sent to all interested parties.

(e) Any interested party aggrieved by the determination of the Director may appeal to the superior court as provided in M.G.L. c. 23, §§ 11K. If no such appeal is filed within 30

calendar days from the date of receipt of the notice of the Director's determination, such determination shall be effective immediately upon expiration of such 30 day period.

(f) Within ten business days of the effective date of a suspension or deregistration, the apprentice program sponsor must provide written notice to all apprentices that, for the period of such suspension or deregistration, all apprentice agreements are automatically terminated.

(3) Documentation of Apprentice Hours. Within 30 calendar days of the date of the deregistration (either voluntary or involuntary) of an apprentice program, the apprentice program sponsor shall send to the Division a copy of all documents demonstrating the number of hours of hands-on training and related instruction obtained by all apprentices employed in the program.

7.09: Reinstatement of Apprentice Program Registration

Any apprentice program suspended or deregistered pursuant to 453 CMR 7.08 may be reinstated, at the discretion of the Deputy Director, upon presentation to the Deputy Director of adequate evidence that the condition that gave rise to the action has been rectified. Following a deregistration for cause, the apprentice sponsor may not file a request for reinstatement of registration prior to six months after the effective date of the deregistration.

Upon reinstatement of an apprentice program following a suspension or deregistration, the apprentices employed under such program shall be given credit for any bona fide hands-on training or related instruction obtained by such apprentices during the period of the suspension or deregistration. However, the amount of credit for hands-on training shall not exceed the number of hours of such training corresponding to six months of employment in the trade in which the apprentice is registered.

7.10: Recordkeeping

(1) Registered apprentice program sponsor; shall maintain the following documents in a centralized location in Massachusetts and shall make such records available to the Deputy Director:

(a) A complete copy of the apprentice program sponsor's application for registration and all documentation submitted therewith;

(b) Documentation concerning any violations of M.G.L. c. 23. §§ 11E through 11L or 453 CMR 7.00 cited by the Division or any prior action instituted by the Division to suspend or deregister the apprentice program;

(c) Copies of all current or canceled apprentice agreements;

- (d) Copies of all certificates evidencing completion by apprentices of the apprentice program;
 - (e) A current list of journeypersons who are members or employees of the apprentice sponsor and are licensed in the trade covered by the apprentice program. The list shall include the license numbers of each such journeyperson;
 - (f) Documents concerning any complaints or concerns by apprentices and efforts by the apprentice program sponsor to investigate and resolve such matters;
 - (g) Documentation of the number of hours of hands-on training provided to each apprentice in the program;
 - (h) Documentation of the number of hours of related instruction received by each apprentice in the program; and
 - (i) Copies of all apprentice performance reviews.
- (2) Documents required by 453 CMR 7.10 (1) shall be retained for a period of not less than ten years.

7.11: Limitations of Regulations

- (1) Nothing in 453 CMR 7.00 shall operate to invalidate:
- (a) Any term or condition in any collective bargaining agreement between employers and employees establishing more stringent standards of apprenticeship; or
 - (b) Any special provisions instituted by the apprentice program sponsor for the benefit of veterans, minority persons, or women which are not otherwise prohibited by law.

7.12: Severability

If any provision of 453 CMR 7.00 is held to be unconstitutional or inconsistent, either on its face or as applied, with any provision of Massachusetts or federal law, the unconstitutionality or inconsistency shall not affect the remaining provisions.

<p align="center">The Commonwealth of Massachusetts Department of Workforce Development Division of Apprentice Training</p>  <p align="center">P.O. Box 146759 19 Staniford Street, 1st Floor, Boston, MA 02114</p>		<p align="center">FOR OFFICE USE ONLY</p> <p>Compliance Officer Number: _____</p> <p>Sponsor Number: _____</p> <table border="1"> <tr> <th>APPRENTICE STATUS</th> <th>DATE</th> </tr> <tr> <td>Date Entered</td> <td></td> </tr> <tr> <td>Completed / Certificate</td> <td></td> </tr> <tr> <td>Suspended</td> <td></td> </tr> <tr> <td>Cancelled</td> <td></td> </tr> <tr> <td>Military Service</td> <td></td> </tr> <tr> <td>Deceased</td> <td></td> </tr> </table>		APPRENTICE STATUS	DATE	Date Entered		Completed / Certificate		Suspended		Cancelled		Military Service		Deceased	
APPRENTICE STATUS	DATE																
Date Entered																	
Completed / Certificate																	
Suspended																	
Cancelled																	
Military Service																	
Deceased																	
<p>Fee: \$35.00 for photo ID (please include one passport size photo)</p>		<p>Apprentice ID Number _____</p>															

APPRENTICE AGREEMENT

Pursuant to the Standards of Apprenticeship adopted by the Sponsor and registered with the Massachusetts Division of Apprentice Training, the provisions of which are hereby made part of this Agreement, and in compliance with the Massachusetts Plan for Equal Employment in Apprenticeship Training, WITNESSETH: that the Agreement is entered into by the undersigned:

_____ / _____				
(Name of Apprentice)	(Address of Apprentice)	city or town	state	zip
(Name of Program Sponsor) (Employer, JAC, JATC, Assoc. of Employers or Org. of Employers.)				

TRADE: _____ TERM OF APPRENTICESHIP _____ HOURS .

DATE APPRENTICESHIP BEGINS: _____ PROJECTED COMPLETION DATE: _____

CREDIT FOR PREVIOUS EXPERIENCE: _____ HOURS.

<p>GRADUATED SCALE OF WAGES IN (PERCENTAGES TO BE PAID THE APPRENTICE. (PERCENTAGES ARE BASED ON JOURNEY PERSON WAGES)</p> <p>[On projects where there is a prevailing rate set by law, the rate of pay shall comply with the wage rate or percentages stated on the wage schedules issued by the Department of Labor, the Division of Occupational Safety]</p> <p align="center">PERIOD(s): _____</p> <table border="1"> <tr> <td>1st</td> <td>3rd</td> <td>5th</td> <td>7th</td> <td>9th</td> <td>11th</td> <td>13th</td> </tr> <tr> <td>2nd</td> <td>4th</td> <td>6th</td> <td>8th</td> <td>10th</td> <td>12th</td> <td>14th</td> </tr> </table>							1 st	3 rd	5 th	7 th	9 th	11 th	13 th	2 nd	4 th	6 th	8 th	10 th	12 th	14 th
1 st	3 rd	5 th	7 th	9 th	11 th	13 th														
2 nd	4 th	6 th	8 th	10 th	12 th	14 th														

Minimum Journey person rate as of (Date) _____ is \$ _____ per hour
 NUMBER OF HOURS PER DAY AND TOTAL NUMBERS OF HOURS PER WEEK TO BE WORKED BY THE APPRENTICE.

_____ hours per day _____ hours per week. Overtime Rate: _____

<p align="center">The parties hereto agree that the terms stated on the reverse side of this form are part of this agreement</p>

 (Signature of Apprentice) / (PLEASE SIGN IN BLUE INK)

 (Signature of Program Sponsor) / (PLEASE SIGN IN BLUE INK)

 Address of Program Sponsor)

 (Signature of Union JAC, JATC) / (PLEASE SIGN IN BLUE INK)

Approved by the Division of Apprentice Training : _____ **Date:** _____

The Program Sponsor and the Apprentice, by affixing their signatures in conformity with the terms and conditions provided herein, hereby agree to the following:

The apprentice program sponsor shall ensure that the apprentice receives a minimum of 150 hours per year of related instructions in all subjects related to the trade. Such instructions may be given in a classroom or through correspondence courses or other forms of self-study, but must be approved by the Deputy Director. The sponsor will not necessarily be responsible for paying the cost of the related instruction or any books, other written materials, or supplies necessary for such instruction. If however, the apprentice is to be responsible for all or any portion of such costs it must be specified below.

COST TO BE INCURRED BY APPRENTICE: [please check item(s) that apply]

TUITION _____ BOOKS _____ TOOLS _____ NONE _____

The Program Sponsor agrees to abide by all applicable provisions of the Massachusetts Plan for Equal Employment in Apprenticeship Training.

The Apprentice agrees to be diligent and faithful in learning the stated trade or craft including mandatory attendance in 150 hrs. of related instruction classes, for each year of Apprenticeship.

The first 1000 hours of employment shall be a probationary period during which time this Agreement may be canceled by either party with notification to the other and to the Massachusetts Division of Apprentice Training.

This agreement must be approved by and filed with the Division of Apprentice Training before the apprentice starts work and copies must be returned to sponsor.

The Director of Apprentice Training may cancel the agreement subject to hearing upon application by any party.

The parties recognize that prevailing wage rates for public works projects are set by the Department of Labor, the Division of Occupational Safety, and that the wages listed in these program standards do not supersede or replace the wage rates determined by the Department of Labor, the Division of Occupational Safety.

Completion of part or all of this last section of the Apprentice Agreement is MANDATORY. The information will remain confidential and will be used for aggregate statistical data only.

TO BE COMPLETED BY APPRENTICE(Please check, circle or fill in items as appropriate)			
SS# _____ - _____ (Date of Birth) _____ (phone) _____			
<u>SEX</u>	<u>ETHNIC GROUP</u>	<u>VETERAN</u>	<u>DISABLED</u>
1. Male	1.White 2.Black 3.American Ind.or Alaskan Native	1.Vietnam Era Veteran	YES
2. Female	4.Asian or Pacific Islander 5.Hispanic 6.Other	2.Other Veteran	NO
		3.Non Veteran	
Circle highest grade of school completed 12 GED MCAS		COLLEGE 13 14 15 16 17 18	

AFFIDAVIT BY APPRENTICE APPLICANT

Signature of Applicant: _____ Date: _____

State of Massachusetts, County of _____

_____ being duly sworn, deposes and says that he/she is the person referred to in the forgoing application; that the statements herein contained are true in every respect; and that he/she read and understands this affidavit.

Sworn and subscribed to before me this _____ day of _____

(Notary Public) Signature

(Notary Public) Print Name

My Commission Expires: _____

RETURN APPLICATION TO:

Division of Apprentice Training P.O. Box 146759, 19 Staniford Street, 1st Floor. Boston, MA 02114

Standards of Apprenticeship Wage Sheet

Per section 5, through 7

Wage Scale: **Period – (Hours, Months, Years)**_____

Number - Period

This is to be expressed in percentages %

1 st		5 th		9 th		13 th	
2 nd		6 th		10 th		14 th	
3 rd		7 th		11 th		15 th	
4 th		8 th		12 th		16 th	

This is to be expressed in dollars and cents

Minimum journeyperson's wage rate as of: _____ \$ _____ per hour

<u>For the Union</u>	
Union Name:	
By:	
Title:	
Date	
<u>For the Company</u>	
Company Name:	
By:	
Title:	
Date:	

Approved for potential number of apprentices per trade:

Trade: _____ **Potential:** _____

Trade: _____ **Potential:** _____

Trade: _____ **Potential:** _____

Total Potential: _____

For the Division_____ **Compliance Officer** **Date:**_____

Reviewed by _____ Acting Commissioner Date: _____

Standards of Apprenticeship Wage Amendment Sheet

From: _____
(Company)

Address: _____

Effective as of: _____ Trade(s): _____

_____, _____

Per section 5, through 7

Wage Scale: Period – (Hours, Months, Years) _____
Number - Period

This is to be expressed in percentages %

1 st		5 th		9 th		13 th	
2 nd		6 th		10 th		14 th	
3 rd		7 th		11 th		15 th	
4 th		8 th		12 th		16 th	

This is to be expressed in dollars and cents

Minimum journeyperson's wage rate as of: _____ \$ _____ per hour

Hours per day _____ Hours per week _____ Premium Rate

Signature of Program Sponsor / Person Responsible for Program

Date: _____

MANDATORY INFORMATION

M. G. L. CHAPTER 23 SEC 11-I s/s 4 Related Instruction Information

Due date: _____

PROGRAM SPONSOR: _____

ADDRESS: _____

TRADE: _____ # OF JOURNEYPERSONS: _____

NAME OF APPRENTICE: _____

FALL ENROLLMENT ☐ / SPRING ENROLLMENT ☐

WILL NOT BE ACCEPTED WITHOUT PAID RECEIPTS FOR ENROLLMENT.

PUBLIC FACILITY: _____ (attach receipts)
(Voc. Tech. High School, Community College, Other)

OTHER: _____

IN- HOUSE: _____

CORRESPONDENCE: _____

Course(s)	Institution	Hours	Date
1			
2			
3			
4			
5			

Sponsor Signature (Please Sign In Blue Ink)

Date

Apprentice Signature (Please Sign In Blue Ink)

Date

Sponsor Application Package Checklist

Company Name: _____

	Completed application package page 1 & 2 (including number of journeypersons)
	Regulations statement sheet signed (after reading regulations)
	Remove and keep apprentice cancellation sheet
	Remove and keep apprentice evaluation sheet
	Remove and keep regulations
	Complete related instruction sheet and
	Attach proof of current related training (this is required for all new sponsor as well as sponsors obligated by the deputy director)
	Standards properly completed
	Completed (front and back) and signed apprentice agreement
	** \$300.00 Sponsor certificate check included
	** Passport size photo
	** \$35.00 Check for apprentice picture I.D. (paid for by either apprentice or company)
	All checks made out to: The Commonwealth of Massachusetts
If you are a <u>Dispensing Optician Sponsor</u> or a Sponsor for a Pre-Apprentice (High School Student), please check the appropriate information below:	
<u>Dispensing Optician Sponsor:</u>	
	Check attached (if not previously paid)
	Previously issued apprentice number noted on agreement
	Agreement notarized and filled out completely
	** \$300.00 Sponsor certificate check included
	** Passport size photo
	** \$35.00 Check for apprentice picture I.D. (paid for by either apprentice or company)
	** \$40.00 One time only processing check
	** \$15.00 Certified check for dispensing board
	All checks made out to: The Commonwealth of Massachusetts
<u>Pre-Apprentice Sponsor:</u>	
	School signature
	Parent / Guardian signature
	Please call for any needed assistance (617) 626-5409
When complete, please mail to the Division of Apprentice Training (address on forms)	



**Department of Workforce Development
Division of Apprenticeship Training**

To: Apprentice Program Sponsors
From: John Rich, Acting Commissioner
Re: Regulation Requirement

I have read the enclosed material and the Apprenticeship Training Regulations.
I understand my responsibilities relative to the directives contained therein.

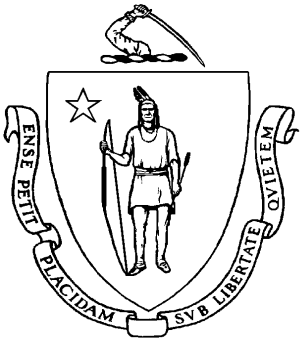
Please sign, date and enclose this copy with your application.

Signature_____ Date_____

Company owner (Sponsor) (Please Sign in Blue Ink)

Signature_____ Date_____

Apprenticeship Coordinator (Please Sign in Blue Ink)



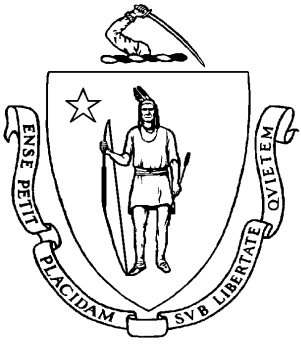
Commonwealth of Massachusetts
Division of Apprentice Training

Apprentice Evaluation Form

1 = Poor 2 = Fair 3 = Good 4 = Very Good 5 = Excellent

- | | | |
|-----|--|-----------|
| 1. | Quality of work performed. | 1 2 3 4 5 |
| | Comments: | |
| 2. | Quantity of work performed. | 1 2 3 4 5 |
| | Comments: | |
| 3. | Attitude toward work. | 1 2 3 4 5 |
| | Comments: | |
| 4. | Co-operation with co-workers. | 1 2 3 4 5 |
| | Comments: | |
| 5. | Willingness to accept responsibility. | 1 2 3 4 5 |
| | Comments: | |
| 6. | Compliance with company policies, rules and practices. | 1 2 3 4 5 |
| | Comments: | |
| 7. | Ability to plan and organize work. | 1 2 3 4 5 |
| | Comments: | |
| 8. | Dependability. | 1 2 3 4 5 |
| | Comments: | |
| 9. | Safety. | 1 2 3 4 5 |
| | Comments: | |
| 10. | Schooling. | 1 2 3 4 5 |
| | Comments: | |

Total: _____



Apprentice Evaluation

Apprentice's Name: _____ Trade: _____

Evaluation Date: _____ Step: _____

0-10 Poor 11-20 Fair 21-30 Good 31-40 Very Good 41-50 Excellent

Total:

If evaluation is below a 20, the apprentice may be held back from his step increase.

Overall Comments:

Evaluator's Signature: _____ Date: _____

Apprentice's Signature: _____ Date: _____

A copy of this evaluation shall be kept with the apprentice record and a copy given to the apprentice.

If the apprentice does not progress to the next step a copy of the unsatisfactory evaluation and a letter requesting an extension of the program shall be forwarded to the Division of Apprentice Training for approval. There will be no more than two (6 month) extensions over the term of the program.